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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

LINDA LIVOLSI,
aka Linda Grogg,

Defendant.

CRIMINAL INDICTMENT

2:10-CR- 578

VIOLATIONS:

18 U.S.C. § 1349 - Conspiracy to
Commit Wire Fraud

18 U.S.C. § 1343 - Wire Fraud

THE GRAND JURY CHARGES THAT:

At all times relevant to this Indictment:

COUNT ONE

Conspiracy to Commit Wire Fraud

1. From a date no later than in or about 2006, to in or about 2010, in the State
and Federal District of Nevada and elsewhere,

**LINDA LIVOLSI,
aka Linda Grogg,**

defendant herein, did knowingly and willfully combine, conspire, and agree with others
known and unknown to the grand jury to commit the crime of wire fraud, that is, the
defendant and others did devise, intend to devise, and participate in a scheme and artifice
to defraud and for obtaining money and property by means of materially false and fraudulent

1 pretenses, representations, and promises, and for the purpose of executing the scheme and
2 artifice did transmit and cause to be transmitted money by means of wire communications
3 in interstate and foreign commerce, in violation of Title 18, United States Code, Section
4 1343.

5 The Objective of the Conspiracy

6 2. The objective of the conspiracy was to obtain money and property by
7 defrauding victims into believing that the defendant would invest their money in a hedge fund
8 when the defendant fraudulently intended to use the money for her personal benefit.

9 Manner and Means of the Conspiracy

10 3. It was part of the conspiracy that the defendant solicited people to allow her
11 to invest their money in a hedge fund.

12 4. It was part of the conspiracy that defendant falsely and fraudulently induced
13 people to invest with her by representing that she was an investment advisor to a hedge
14 fund that would invest in publicly traded companies, and that her hedge fund had a track
15 record of outstanding returns, when she then and there well knew that she would not invest
16 their money in a hedge fund.

17 5. It was a further part of the conspiracy that the defendant provided to victims
18 fraudulent documents that purported to support the existence and track record of her hedge
19 fund when the defendant then and there well knew that she did not intend to invest their
20 money in the hedge fund.

21 6. It was a further part of the conspiracy that defendant did not invest the
22 investors' money in her hedge fund.

23 7. It was a further part of the conspiracy that the defendant and her
24 co-conspirators used the money to pay for personal purchases and expenses.

25 8. It was a further part of the conspiracy that defendant caused "account
26 statements" to be sent to victims to lull them and prevent them from questioning whether

1 their money had, in fact, been invested, where these statements falsely listed the
2 investments purchased by the hedge fund.

3 9. It was a further part of the conspiracy that when victims tried to withdraw their
4 money from the "hedge fund," the defendant and her co-conspirators acted to delay and
5 deceive to prevent the victims from complaining to law enforcement.

6 All in violation of Title 18, United States Code, Section 1349.

7 **COUNT TWO**
8 **Wire Fraud**

9 10. The allegations set forth in Count One are re-alleged and incorporated as if
10 fully set forth herein.

11 11. From in or about 2006, to in or about 2010, in the State and Federal District
12 of Nevada and elsewhere,

13 **LINDA LIVOLSI,**
14 **aka Linda Grogg,**

15 defendant herein, did devise and intend to devise, and participate in a scheme and artifice
16 to defraud and for obtaining money and property by means of materially false and fraudulent
17 pretenses, representations and promises.

18 12. On or about the date set forth below, for the purpose of executing the
19 scheme, defendant did cause to be transmitted by means of wire communication in
20 interstate commerce the following writings, signs, signals, and sounds, with each
21 transmission constituting a separate violation of Title 18, United States Code, Section 1343:

Count	Date	Wire
2	December 4, 2007	Wire transfer of \$5,015,000.00 from E.B. of Maryland to RGM Enterprises LLC in Nevada, Wachovia Bank account xxxxxxxxx3450.

25 All in violation of Title 18, United States Code, Section 1343.

FORFEITURE ALLEGATION

Conspiracy to Commit Wire Fraud and Wire Fraud

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3 1. The allegations of Counts One and Two of this Indictment are hereby
4 realleged and incorporated herein by reference for the purpose of alleging forfeiture
5 pursuant to the provisions of Title 18, United States Code, Section 981(a)(1)(C) and Title 28,
6 United States Codes, Section 2461(c).

7 2. Upon a conviction of the felony offenses charged in Counts One and Two of
8 this Indictment,

9 **LINDA LIVOLSI,**
10 **aka Linda Grogg,**

11 defendant herein, shall forfeit to the United States of America, any property which
12 constitutes or is derived from proceeds traceable to violations of Title 18, United States
13 Code, Section 1343, a specified unlawful activity as defined in Title 18, United States Code,
14 Sections 1956(c)(7)(A) and 1961(1)(B), and Title 18, United States Code, Section 1349, a
15 conspiracy to commit such offense, an *in personam* criminal forfeiture money judgment up
16 to \$5,015,000.00 in United States Currency.

17 3. If any property being subject to forfeiture pursuant to Title 18, United States
18 Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), as a result
19 of any act or omission of the defendant –

- 20 a. cannot be located upon the exercise of due diligence;
21 b. has been transferred or sold to, or deposited with, a third party;
22 c. has been placed beyond the jurisdiction of the court;
23 d. has been substantially diminished in value; or
24 e. has been commingled with other property that cannot be divided
25 without difficulty;
26

1 it is the intent of the United States of America, pursuant to Title 21, United States Code,
2 Section 853(p), to seek forfeiture of any properties of the defendant up to \$5,015,000.00 in
3 United States Currency.

4 All pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28,
5 United States Code, Section 2461(c); Title 18, United States Code, Section 1343, a
6 specified unlawful activity as defined in Title 18, United States Code, Sections 1956(c)(7)(A)
7 and 1961(1)(B); Title 18, United States Code, Section 1349; and Title 21, United States
8 Code, Section 853(p).

9 **DATED:** this 1 day of December 2010.

10 **A TRUE BILL:**

11
12 /S/
13 FOREPERSON OF THE GRAND JURY

14 DANIEL BOGDEN
15 United States Attorney

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17 MICHAEL CHU
18 Assistant United States Attorney
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